

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ELECTRA ENTERTAINMENT GROUP)	
INC., a Delaware corporation, et)	NO. CV-04-5101-LRS
al.,)	
)	JUDGMENT AND PERMANENT
Plaintiffs,)	INJUNCTION BASED ON
)	STIPULATION
-vs-)	
)	
MARY HOUF,)	
)	
Defendant.)	

The Court, having considered the Stipulation to Judgment and Permanent Injunction executed by the parties,

IT IS ORDERED AND ADJUDGED THAT:

1. Plaintiffs have alleged that Defendant distributed (including by uploading) and/or reproduced (including by downloading) via the Internet or an online media distribution system copyrighted sound recordings owned or controlled by the Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without admitting or denying liability, Defendant has not contested plaintiffs' allegations, and has acknowledged that such conduct is wrongful.

2. Defendant shall pay to Plaintiffs in settlement of this action the sum of \$2970.00.

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1 3. Defendant shall pay Plaintiffs' costs of suit (complaint filing
2 fee and service of process fee) in the amount of \$530.00.

3 4. Defendant shall be and hereby is enjoined from directly or
4 indirectly infringing Plaintiffs' rights under federal or state law in
5 the Copyrighted Recordings and in any sound recording, whether now in
6 existence or later created, that is owned or controlled by Plaintiffs (or
7 any parent, subsidiary, or affiliate record label of Plaintiffs)
8 ("Plaintiffs' Recordings"), including without limitation by:

- 9 a) using the Internet or any online media distribution system
10 to reproduce (i.e., download) any of Plaintiffs' Recordings,
11 to distribute (i.e., upload) any of Plaintiffs' Recordings,
12 or to make any of Plaintiffs' Recordings available for
13 distribution to the public, except pursuant to a lawful
14 license or with the express authority of Plaintiffs; or
15 b) causing, authorizing, permitting, or facilitating any third
16 party to access the Internet or any online media
17 distribution system through the use of an Internet
18 connection and/or computer equipment owned or controlled by
19 Defendant, to reproduce (i.e., download) any of Plaintiffs'
20 Recordings, to distribute (i.e., upload) any of Plaintiffs'
21 Recordings, or to make any of Plaintiffs' Recordings
22 available for distribution to the public, except pursuant to
23 a lawful license or with the express authority of
24 Plaintiffs.

25 Defendant also shall destroy all copies of Plaintiffs' Recordings that
26 Defendant and/or any third party that has used the Internet connection

1 and/or computer equipment owned or controlled by Defendant has downloaded
2 without Plaintiffs' authorization onto any computer hard drive or server
3 owned or controlled by Defendant, and shall destroy all copies of those
4 downloaded recordings transferred onto any physical medium or device in
5 Defendant's possession, custody, or control.

6 5. Defendant irrevocably and fully waives notice of entry of the
7 Judgment and Permanent Injunction, and understands and agrees that
8 violation of the Judgment and Permanent Injunction will expose Defendant
9 to all penalties provided by law, including for contempt of Court.

10 6. Defendant irrevocably and fully waives any and all right to appeal
11 this Judgment and Permanent Injunction, to have it vacated or set aside,
12 to seek or obtain a new trial thereon, or otherwise to attack in any way,
13 directly or collaterally, its validity or enforceability.

14 7. Nothing contained in the Judgment and Permanent Injunction shall
15 limit the right of Plaintiffs to recover damages for any and all
16 infringements by Defendant of any right under federal copyright law or
17 state law occurring after the date Defendant executes the Stipulation to
18 Judgment and Permanent Injunction.

19 8. Defendant shall not make any public statements that are
20 inconsistent with any term of the Stipulation to Judgment and Permanent
21 Injunction.

22 9. The Court shall maintain continuing jurisdiction over this action
23 for the purpose of enforcing this final Judgment and Permanent
24 Injunction.

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1 The District Court Executive is directed to enter this Judgment and
2 Order, provide copies to counsel, and **CLOSE THE FILE**.

3 **DATED** this 19th day of August, 2005.

4 *s/Lonny R. Suko*

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6 LONNY R. SUKO
7 UNITED STATES DISTRICT JUDGE
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